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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,891	01/23/2004	Robert S. Tirey	D5396	7770

30410 7590 08/07/2006

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EXAMINER

SKURDAL, COREY NELSON

ART UNIT	PAPER NUMBER
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3727

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/763,891	Applicant(s) TIREY, ROBERT S.	
	Examiner Corey N. Skurdal	Art Unit 3727	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/11/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claim 10 is objected to because of the following informalities: line 4 recites the phrase "a tongue extending outwardly to matingly engaging the receiver." The phrase should be "a tongue extending outwardly to matingly engage the receiver" or "a tongue extending outwardly matingly engaging the receiver." Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Bush et al. (US 6,199,948).

Regarding claims 1-3, Bush et al., especially Figure 14, discloses a storage system 120 for use on a car seat back 14 with a forward slanting section (between seat back 14 and seat bottom 12), an upper section (Fig. 1 on seat back 22 and 24), and a rear 22. Mounted to the seat back, by means of mechanisms 34 and 40, is a storage cabinet 120 with a top and base, sidewalls located there between, and outer and inner walls, the inner wall being located opposite the outer wall and adjacent the forward slanting section. See Figure 14. Furthermore, Bush et al. discloses an interior compartment 124 defined by the intersection of the previous mentioned walls.

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Regarding claim 4 and 6, Bush et al. discloses a seat frame 20, set in seat back 14, with mounting mechanisms 34 and 40 that attach to storage cabinet 120 by tabs 82 that extend outwardly from the cabinet.

Regarding claims 5, and 11 Bush et al. discloses a cabinet interior 124 with addition compartment inside for securing other objects (column 6, lines 3-6). It is also noted in other embodiment of Bush et al., that the container system is shown with compartments 94 and 96, divided by separator 98 (Figure 10).

Regarding claims 7 and 13, Bush et al. discloses exterior compartments 126 and 128 attached to the outer wall.

Regarding claims 8 and 14, Bush et al. discloses a storage unit on seat 10 with seat bottom 12, attached by pivot 18. See Figure 1.

Regarding claim 9, 10, and 12 Bush et al. discloses the invention as claimed including a mounting mechanism (items 34, 40, 82, and 84) on storage unit 120, which is releasably secured to the seat frame by handle 38. The mounting mechanism of Bush is comprised of tabs and tongues 82 which extend outwardly from the storage unit into receivers 34 which are attached to seat frame 20.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lucas, Jr et al. (US 5,913,533) discloses a seat assembly, removably attachable to a car seat. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey N. Skurdal

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whose telephone number is 571-272-9588. The examiner can normally be reached on M-Th 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-9588.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CS


NATHAN J. NEWHOUSE
SUPERVISORY PATENT EXAMINER